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10/008,439	12/06/2001	Harold J. Plourde JR.	60374.0040US01/A-7314	5248

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EXAMINER

DAZENSKI, MARC A

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/008,439	Applicant(s) PLOURDE ET AL.	
	Examiner MARC DAZENSKI	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 26-50 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. Supreme Court precedent¹ and recent Federal Circuit decisions² indicate that a statutory “process” under 35 U.S.C. 101 must (1) be tied to another statutory category (such as a particular apparatus), or (2) transform underlying subject matter (such as an article or material) to a different state or thing. While the instant claim(s) recite a series of steps or acts to be performed, the claim(s) neither transform underlying subject matter nor positively tie to another statutory category that accomplishes the claimed method steps, and therefore do not qualify as a statutory process. For example, although the claim 26 refers to “buffering” and

¹ *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

² *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

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“representing” steps, the claim does not positively recite any structure which undergoes the claimed steps and therefore is not tied to any particular apparatus or machine.

¹ *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-88 (1876).

² *In re Bilski*, 88 USPQ2d 1385 (Fed. Cir. 2008).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 8, 11-13, 17-19, 21-24, 26-29, 33, 36-38, 42-44, and 46-49 are rejected under 35 U.S.C. 102(e) as being anticipated by Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan.

Regarding **claim 1**, Srinivasan discloses a method and apparatus for storing content (see title). Further, Srinivasan discloses a media content recording system in a subscriber network television system (see column 3, lines 60-64: “...system 200 capable of time-shifting and/or recording multiple streams of broad cast data...”; see column 4, lines 20-24: “...system 300 having time shifting and digital recording functionality...step top box, cable box...digital television recorder, personal

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computer..."; see column 4, lines 5-10: "The output data streams may be from the same broadcast and provided to one or more users."), comprising:

a memory for storing logic (see column 9, line 66 through column 11, line 6: "computer 1042 that can be used in accordance with the invention...includes one or more processors or processing units 1044, a system memory 1046...");

a storage device comprising a buffer space for continuously buffering media content instances, the buffer space comprising at any one instance of time plural media content instances corresponding to different video programs (see column 9, lines 11-16: "...a writer creates a ring buffer object, associates a name with the object, and writes to the object."; see column 9, lines 35-42: "...saved on a storage device such as a hard disk drive."; see figure 10, particularly hard disk drive interface 1056); and

a processor configured with the logic to represent each of the media content instances in the buffer space as a respective management file stored in the memory (see column 3, lines 34-36: "The metafile represents the time shifted data and the recorded data that comprise one or more broadcast programs."; column 6, lines 24-36: "These four portions 502-508 are stored as five media files...referenced by a metafile 510."), the management file comprising a data structure that includes information identifying a corresponding media content instance of the media content instances, the information including media guide scheduled start and end times (see column 2, lines 8-15: "...pre-scheduled digital recording starts at 8:30...digital recording ends at 9:00..."; column 8, lines 64-67: "The two metafiles are used to identify the starting and ending points of the broadcast stream as well as the individual portions of the data stream...").

Regarding **claim 2**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to represent the media content instance in the buffer space with the corresponding management file in the memory, wherein the logic is further configured to track the duration of the buffered media content instance (see column 5, lines 44-61: "...begin storing a data stream...at the beginning of media file 412...continues until a time indicated by broken line 420. At that time, the user has indicated that the broadcast data is to be digitally recorded for permanent storage.").

Regarding **claim 3**, Srinivasan discloses everything claimed as applied above (see claim 2). Further, Srinivasan discloses wherein the duration of the media content instance corresponds to hard disk space (see column 5, lines 11-12: "Time shifting and DVR recording require a backing storage device, such as a hard disk drive."; column 5, lines 20-25: "...storage of time shifted data and record data on a storage device...storage device 410, such as a hard disk drive.").

Regarding **claim 4**, Srinivasan discloses everything claimed as applied above (see claim 2). Further, Srinivasan discloses wherein the duration of the media content instance corresponds to a real-time playback duration (see column 6, line 62 through column 7, line 2: "Similarly, when the user plays back the recorded program...there is no interruption of the playback fifteen minutes into the program where the record command was executed by the user.").

Regarding **claim 8**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured

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with the logic to configure the data structure to include media content instance guide data, a buffering start time, an active playback location within the media content instance in the buffer space, a status flag, and a media content instance file name (see column 6, lines 45-59: "At 8:30, the system is recording the broadcast data as temporary time shifted data. However, at 8:45, the user decides that they want to record the entire program for future viewing...the metafile associated with the broadcast can modify the status of the time shifted data recorded between 8:30-8:45...This second metafile continues to be updated until the end of recording (9:00)."; column 6, lines 1-5: "...the four media files 412-418...store a single continuous stream of broadcast data, although certain portions of the data are identified as temporary time shifted data and other portions of the data are identified as permanent digitally recorded data."; figure 4, particularly four media files labeled "File1" through "File4"; as well as figure 7B and its associated text, particularly the offset values that "refers to the number of minutes from the beginning of the associated media file.").

Regarding **claim 11**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to use and store the scheduled stop time of a media content instance from media content instance guide data to determine when to close the management file for said ended media content instance and open a new management file for the next media content instance to be downloaded to the buffer space (see column 2, lines 8-15: "...pre-scheduled digital recording starts at 8:30...digital recording ends at 9:00...");

column 8, lines 64-67: "The two metafiles are used to identify the starting and ending points of the broadcast stream as well as the individual portions of the data stream...").

Regarding **claim 12**, the limitations of the claim are rejected in view of the explanation set forth in claim 11 above.

Regarding **claim 13**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to configure each of the media content instances as media content instance files, wherein the processor is further configured with the logic to identify each of the media content instance files by file names (see figure 4, particularly four media files labeled "File1" through "File4").

Regarding **claim 17**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to buffer analog broadcast media content instances, received at a communications interface, as digitally compressed media content instances (see column 3, lines 52-59: "...'broadcast data' refers to any stream of data, such as television broadcasts...Broadcast data may be received from any number of data sources via any type of communication medium.").

Regarding **claim 18**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to buffer an analog signal received at a connector from a consumer electronics device, as a digitally compressed media content instance (see the rejection of claim 17 as well as figure 10, particularly computer 1042).

Regarding **claim 19**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to buffer digital broadcast media content instances, received at a communications interface, as digitally compressed media content instances (see column 10, lines 63-65: "The logical connection depicted in figure 10 include a local area network (LAN) 1092 and wide area network (WAN) 1094.").

Regarding **claim 21**, the limitations of the claim are rejected in view of the explanation set forth in claim 19 above.

Regarding **claim 22**, the limitations of the claim are rejected in view of the explanation set forth in claim 19 above.

Regarding **claim 23**, Srinivasan discloses everything claimed as applied above (see claim 1). Further, Srinivasan discloses wherein the processor is further configured with the logic to maintain a status flag in the management file wherein the status flag is configured as temporary for a buffered media content instance that is not designated for permanent recording (see column 6, lines 1-5: "...the four media files 412-418...store a single continuous stream of broadcast data, although certain portions of the data are identified as temporary time shifted data and other portions of the data are identified as permanent digitally recorded data."; column 6, lines 15-17: "This embodiment segregates temporary files from permanent files, but provides a unified time shifting and digital recording mechanism.").

Regarding **claim 24**, Srinivasan discloses everything claimed as applied above (see claim 23). Further, Srinivasan discloses wherein the processor is further

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configured with the logic to configure the status flag of the management file for a buffered media content instance as permanent when the user requests that said media content instance be permanently recorded (see column 8, lines 46-51: "The procedure then stores a second portion of the broadcast data stream as digitally recorded data...the procedure may change storing the data as digitally recorded data in response to a user command..."), wherein the processor is further configured with the logic to cause the permanently recorded media content instance to have a permanent designation in a file allocation table in response to having status flag of the corresponding management file configured as permanent, such that the buffer space storing the permanently recorded media content instance becomes designated as non-buffer space (see column 9, lines 17-20: "To create a recording, a writer creates a recording object, sets the name of the disk file by which the user identifies the recording, and associates the recording object with a ring buffer object."; column 9, lines 39-46: "The actual broadcast data is saved to one or more media files. The metafiles and the media files corresponding to ring buffers are temporary...A file management component keeps track of the number of metafiles that reference each media file and uses this information to determine whether a media file corresponds to a temporary ring buffer or a permanent digital recording."; column 12, lines 20-23: "The I/O layer marks the media files referenced by the recording metafile as being permanent and does not delete them when the ring buffer object is destroyed.").

Regarding **claims 26-29, 33, 36-38, 42-44 and 46-49** the examiner maintains the claims are merely the corresponding method to the apparatus of claims 1-4, 8, 11-13,

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17-19, and 21-24, respectively, and are therefore rejected in view of the explanations set forth in those claims above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-7, 15-16, 30-32 and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan, in view of Kuroda (US Patent 6,311,011), hereinafter referred to as Kuroda.

Regarding **claim 5**, Srinivasan discloses everything closed as applied above (see claim 1). However, Srinivasan fails to explicitly disclose the remaining limitations of the claims. The examiner maintains it was well known to include the missing limitations, as taught by Kuroda.

In a similar field of endeavor, Kuroda discloses a device for recording video signals and device for displaying electronic program guide (see title). Further, Kuroda discloses wherein the processor is further configured with the logic to receive media content information from a remote server, wherein the media content information comprises a scheduled media content instance start time and a scheduled media content instance end time (see column 4, lines 12-17: "The program information

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receiver 101 receives program information that is related to each program from broadcasting media. The program information comprises opening and ending time of programs, bit rates, preview of the program and so on. The broadcasting media comprise broadcast wave, cable television network, Internet and so on.”; see also figure 2 particularly the input of program information receiver 101 which shows an internet input).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of Kuroda, for the purpose of assisting a viewer to select a favorite program from enormous programs (see column 1, lines 47-49).

Regarding **claim 6**, the combination of Srinivasan and Kuroda discloses everything claimed as applied above (see claim 5). Further, Srinivasan discloses wherein the processor is further configured with the logic to track when the buffering of the media content instance starts (see column 6, lines 45-48: “...the data stream is a television broadcast and a user begins viewing the broadcast at approximately 8:30, when a new program starts. At 8:30, the system is recording the broadcast data as temporary time shifted data.”).

Regarding **claim 7**, the combination of Srinivasan and Kuroda discloses everything claimed as applied above (see claim 5). Further, Kuroda discloses wherein the processor is further configured with the logic to determine the media content instance duration by subtracting the media content instance buffering start time from the scheduled media content instance end time (see column 5, lines 17-25: “Next, the video

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recorder/player displays a dialogue screen...for noticing a channel number, passage of time, and optional finish times to record...”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of Kuroda, for the purpose of calculating a necessary capacity size of recording medium for the selected quantity of contents (see column 5, lines 21-25).

Regarding **claim 15**, Srinivasan discloses everything claimed as applied above (see claim 13). However, Srinivasan fails to explicitly disclose the remaining limitations of the claims. The examiner maintains it was well known to include the missing limitations, as taught by Kuroda.

In a similar field of endeavor, Kuroda discloses a device for recording video signals and device for displaying electronic program guide (see title). Further, Kuroda discloses wherein the processor is further configured with the logic to generate the media content instance file names using the media content instance guide data (see column 7, lines 32-41: “The reserved recording processor 802 receives program information from the EPG manager 806 as the need arises. When recording a program is reserved the reserved recording processor 802 records its program information to a reserved program information record 810.”; column 9, lines 47-51: “The program information decoder 805 picks out such items as a program ID, a channel number, starting and ending time of a program of each of programs from the program information.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of Kuroda, for the purpose of assisting a viewer to select a favorite program from enormous programs (see column 1, lines 47-49).

Regarding **claim 16**, the limitations of the claim are rejected in view of the explanation set forth in claim 15 above.

Regarding **claims 30-32 and 40-41**, the examiner maintains the claims are merely the corresponding method to the apparatus of claims 5-7 and 15-16, respectively, and are therefore rejected in view of the explanations set forth in those claims above.

Claims 9-10 and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan, in view of Locket et al (US PgPub 2002/0037160), hereinafter referred to as Locket.

Regarding **claim 9**, Srinivasan discloses everything claimed as applied above (see claim 1). However, Srinivasan fails to explicitly disclose the remaining limitations of the claims. The examiner maintains it was well known to include the missing limitations, as taught by Locket.

In a similar field of endeavor, Locket discloses a multimedia signal processing system (see title). Further, Lockett discloses wherein the processor is further configured with the logic to organize a plurality of management files as a linked list of the management files comprising the locations of data for said files and locations to a

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previously created management file and to a subsequently created management file (see [0067]: “The TmkPipeline class 905, 909, 914 is responsible for flow control through the system...Such a capability is needed, for example, when switching the channel being captured by the input section, or when switching between a live signal from the input section and a stored stream.”; [0071] – [0072]: “...a push pointer 919 that shows hwere the next buffer coming from the source 901 is inserted; and a current pointer 920 which points to the current buffer used...The buffers are linked together by next buff pointers in a linked list 918...The push pointer 919 points top the last buffer in the linked list while the current pointer 920 points to the current buffer used.”; [0083]: “One skilled in the art will readily appreciate that although a circular buffer is specifically mentioned in areas above, a linked list using a memory pool allocation scheme, also described above, can be substituted in its place.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of Locket for the purpose of allowing fast and efficient switching between stream sources (see [0067]).

Regarding **claim 10**, the limitations of the claim are rejected in view of the explanation set forth in claim 9 above (see also Srinivasan, column 9, lines 29-42: “Each metafile contains a list of program segments. Each segment is characterized by a link to the media file that contains the program data for that segment, and the starting and ending offsets in that media file...the Data Storage API represents digital

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recordings and ring buffers using metafiles that are saved on a storage device such as a hard disk drive).

Regarding **claims 34-35**, the examiner maintains the claims are merely the corresponding method to the apparatus of claims 9-10, respectively, and are therefore rejected in view of the explanations set forth in those claims above.

Claims 14 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan, in view of "Cryptography in OpenBSD: An Overview" (NPL Document, Theo de Raadt et al), hereinafter referred to as de Raadt.

Regarding **claim 14**, Srinivasan discloses everything claimed as applied above (see claim 1). However, Srinivasan fails to explicitly disclose the remaining limitations of the claims. The examiner maintains it was well known to include the missing limitations, as taught by de Raadt.

In a similar field of endeavor, de Raadt discloses Cryptography in openBSD: an overview (see title). Further, de Raadt discloses wherein the processor is further configured with the logic to randomly generate the file names of each of the media content instance files (see section 3.3.2, third bullet point: "Processes typically create temporary files by generating a random filename via mktemp(3)..." wherein the specification of the instant application at page 13, lines 26-29 discloses, "a DHCT 16...may be...integrated into another device such as...a personal computer" and because the *mktemp* command is implemented in a personal computer the examiner maintains that the section of de Raadt effectively reads on the limitations of the claim.).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of de Raadt, for the purpose of making it harder for an attacker to guess the names in advance and therefore providing greater security in a network system (see de Raadt, sections 3.3.2 and Abstract).

Regarding **claim 39**, the examiner maintains the claims are merely the corresponding method to the apparatus of claims 14, respectively, and are therefore rejected in view of the explanations set forth in those claims above.

Claims 20 and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan, in view of Lewis (US PgPub 2003/0040962), hereinafter referred to as Lewis.

Regarding **claim 20**, Srinivasan discloses everything claimed as applied above (see claim 1). However, Srinivasan fails to explicitly disclose the remaining limitations of the claims. The examiner maintains it was well known to include the missing limitations, as taught by Lewis.

In a similar field of endeavor, Lewis discloses a system and data management and on-demand rental and purchase of digital data products (see title). Further, Lewis discloses wherein the processor is further configured with the logic to buffer digital media-on-demand media content instances, received at a communications interface from a remote server, as digitally compressed media content instances (see figure 3B which discloses a user selecting a movie via "On Demand" as well as figure 2b particularly computer network signal 10f and network broadcast TV signal 10a).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Srinivasan to include the teachings of Lewis, for the purpose of providing a viewer with a greater variety of viewable media sources.

Regarding **claim 45**, the examiner maintains the claims are merely the corresponding method to the apparatus of claims 20, respectively, and are therefore rejected in view of the explanations set forth in those claims above.

Claims 25 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Srinivasan et al (US Patent 7,522,817), hereinafter referred to as Srinivasan, in view of Kuroda (US Patent 6,311,011), hereinafter referred to as Kuroda, in view of Locket et al (US PgPub 2002/0037160), hereinafter referred to as Locket, in view of "Cryptography in OpenBSD: An Overview" (NPL Document, Theo de Raadt et al), hereinafter referred to as de Raadt, in view of Lewis (US PgPub 2003/0040962), hereinafter referred to as Lewis.

Regarding **claim 25**, the examiner notes that the claim comprises the limitations from claims 1-24 and is therefore rejected in view of the rejections set forth in claims 1-24 above.

Regarding **claim 50**, the examiner notes that the claim is merely the corresponding method to the apparatus of claim 25 and is therefore rejected in view of the explanation set forth in claim 25 above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARC DAZENSKI whose telephone number is (571) 270-5577. The examiner can normally be reached on M-F, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter-Anthony Pappas can be reached on (571) 272-7646. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MARC DAZENSKI/
Examiner, Art Unit 2621

/Mehrdad Dastouri/
Supervisory Patent Examiner, Art Unit 2621